

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	
)	No. 3:07-CR-126
V.)	(PHILLIPS/SHIRLEY)
)	
)	
)	
YOLANDA MORALES-RIVERA)	

ORDER OF DETENTION PENDING TRIAL

This matter came before the Court on defendant's arraignment on an Indictment on November 27, 2007. Tracee Plowell, Assistant United States Attorney, was present representing the government and Scott Green was present representing the defendant. The defendant was present. The Court stated that the defendant has related to the Court that she is an illegal alien and the Court also that the defendant had a detention hearing at her Rule 5 Hearing in the Northern District of Georgia and was detained by the Honorable Alan J. Baverman, United States Magistrate Judge. An Order of Detention Pending Trial was entered on October 22, 2007. Counsel for the defendant stated that the defendant has signed a Waiver of Detention Hearing. Therefore, Mr. Green stated that the defendant wished to waive her right to a detention hearing at this time but reserve the right to have a detention hearing at a later date, if appropriate. The defendant shall be detained. 18 U.S.C. § 3142(f)(2).

Both the defendant's attorney and the government's attorney agreed this situation constitutes good cause under 18 U.S.C. § 3142(f)(2), and the Court agrees.

Therefore this detention hearing is continued indefinitely. Until that time, the defendant will remain in detention. The defendant stated she understands that she will remain in detention.

The defendant has been informed that a prompt hearing would be scheduled if she becomes eligible and requests a detention hearing. Accordingly, The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge